IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

WEDNESDAY, THE 4TH JULY 2007 / 13TH ASHADHA 1929

Crl.Rev.Pet.No. 474 of 1998()

CRA.173/1996 of ADDL.SESSIONS COURT-II, KOZHIKODE
CC.619/1995 of JUDL. MAGISTRATE OF FIRST CLASS-V, KOZHIKODE

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REVN. PETITIONER: APPELLANT/ACCUSED

MURALEEDHARAN
S/O.APPUKUTTAN
CHELAMBRA

BY ADV. SRI.P.V.KUNHIKRISHNAN

RESPONDENTS: RESPONDENT/STATE

STATE OF KERALA
REPRESENTED BY PUBLIC PROSECUTOR
HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI

THIS CRIMINAL REVISION PETITION HAVING BEEN FINALLY HEARD ON 04/07/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

CRRP474/1998

ORDER ON CRL.M.P.NO.2480/1998 IN CRL.R.P.NO.474/1998

DISMISSED

4.7.2007 SD/- K.R.UDAYABHANU, JUDGE

/TRUE COPY/

P.A. TO JUDGE

K.R.UDAYABHANU, J

Crl.R.P.No.474 of 1998

Dated this the 4th day of July, 2007

O R D E R

The revision petitioner is the accused in C.C.No.619/95 with respect to the offence under Sections 279 and 337 IPC and stands convicted to undergo simple imprisonment for one month each for each of the offences.

2. The prosecution case is that on 11.12.1993, at about 11 a.m., the accused drove lorry bearing registration No.KRD 4915 in a rash and negligent manner through Kozhikode-Feroke public road so as to endanger human life and when it reached at Cheruvannoor, it hit on a tourist car having registration No.KL-11A/1364 and as a result of the same, the passengers in the car sustained injuries.

3. The evidence adduced in the matter consisted the testimony of PWs' 1 to 8 and Exts. P1 to P10.

4. The counsel for the revision petitioner has only sought for modification of the sentence pointing out that the incident has taken place in the year 1993 and so long the accused was

facing the criminal proceedings. In the circumstances, the conviction is confirmed. The sentence is modified to pay a fine of Rs.1,000/- for the offence under Section 279 and in default, to undergo simple imprisonment for two weeks and to pay a fine of Rs.500/- for the offence under Section 337 and in default, to undergo simple imprisonment for one week.

The revision petition is disposed of accordingly.

K.R.UDAYABHANU,
JUDGE

csl